

E-1 (10/98)

PUBLIC EMPLOYMENT RELATIONS COMMISSION

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PUBLIC EMPLOYMENT
RELATIONS COMMISSION**PETITION FOR INVESTIGATION OF
QUESTION CONCERNING REPRESENTATION****[] Amended Petition in Case -E- -**

Instructions: See other side of this form:

Applicable Rules: Chapter 10-08, 391-08 and 391-25 WAC.

The petitioner claims that a question concerning representation exists involving certain employees of the employer named below.

1. EMPLOYER Pierce County

CONTACT PERSON Brian Ziegler, Director of Utilities
 ADDRESS 2702 S. 42nd Suite 201
 CITY/STATE Tacoma, WA ZIP 98409
 TELEPHONE 253-798-7250 EXT. FAX 2537982740

ATTORNEY or REPRESENTATIVE Joe Carrillo
 ADDRESS 615 South 9th Street, Suite 200
 CITY/STATE Tacoma, WA ZIP 98405-4670
 TELEPHONE 253-798-7480 FAX 2537987489

2. PETITIONER Washington State Council of County and City Employees

CONTACT PERSON Bill Keenan, Director of Organizing
 ADDRESS P.O. Box 750
 CITY/STATE Everett, WA ZIP 98206-0750
 TELEPHONE 425-303-8818 EXT. 227 FAX 4253038906

ATTORNEY or REPRESENTATIVE Audrey Eide
General Counsel
 ADDRESS P.O. Box 750
 CITY/STATE Everett, WA ZIP 98206-0750
 TELEPHONE 425-3038818 EXT. 229 FAX 4253038906

3. INCUMBENT BARGAINING REPRESENTATIVE Indicate:

- ☒ The employees involved are not currently represented for bargaining; or
☐ The employees involved are currently represented by:

ORGANIZATION

CONTACT PERSON _____
 ADDRESS _____
 CITY/STATE _____ ZIP _____
 TELEPHONE _____ EXT. _____ FAX _____

ATTORNEY or REPRESENTATIVE _____
 ADDRESS _____
 CITY/STATE _____ ZIP _____
 TELEPHONE _____ EXT. _____ FAX _____

4. COLLECTIVE BARGAINING AGREEMENT Indicate:

- ☒ There has never been an agreement covering the employees involved; or
☐ A copy of the current (most recent) agreement is attached.

5. SHOWING OF INTEREST A petition filed by an organization or employees must be accompanied by a showing of interest showing that the petitioner has the support of 30% or more of the employees in the bargaining unit.

6. BARGAINING UNIT

a. **EMPLOYER'S PRINCIPAL BUSINESS**
County Government

b. **DEPARTMENT OR DIVISION INVOLVED**
Waste Water Treatment Plant

c. **DESCRIPTION OF BARGAINING UNIT** Indicate inclusions/exclusions, contract page or case/decision number:

All Sewer Utility Wastewater Treatment Plant Maintenance Employees

Excluding Supervisors, Confidential Employees and all other employees of Sewer Utility

In accordance with WAC 391-25-040 we request to include the above positions in the existing Local 120 bargaining unit. See attached MOU.

d. **NUMBER OF EMPLOYEES IN BARGAINING UNIT** 11

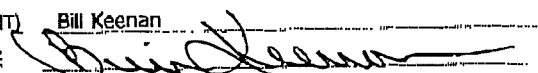
6. DESIGNATION OF REQUEST Indicate one:

- ☒ **RECOGNITION REQUEST.** The petitioner claims to represent a majority of the employees involved, and requests certification as exclusive bargaining representative of the bargaining unit.
- ☐ **CHANGE IN REPRESENTATIVE.** The employees in the bargaining unit desire to change their designation of exclusive bargaining representative, and to designate the petitioner as their exclusive bargaining representative.
- ☐ **DECERTIFICATION.** The employees in the bargaining unit no longer desire to be represented by any employee organization.
- ☐ **EMPLOYER PETITION - DEMAND FOR RECOGNITION.** The employer has been presented with one or more demands for recognition (per attached documentation), and requests a determination by the Commission.
- ☐ **EMPLOYER PETITION - INCUMBENCY QUESTIONED.** The employer has a good faith belief (per attached documentation) that a majority of employees no longer desire representation by the incumbent exclusive bargaining representative.

8. OTHER RELEVANT FACTS Indicate, if applicable:

- ☐ Additional information is set forth on separate sheets attached to this petition form.

9. AUTHORIZED SIGNATURE FOR PETITIONER

NAME (PRINT) Bill Keenan
 SIGNATURE 
 TITLE Director of Organizing DATE 3/5/10

MEMORANDUM OF UNDERSTANDING

BY AND BETWEEN

PIERCE COUNTY

AND

WASHINGTON STATE COUNCIL OF COUNTY AND CITY EMPLOYEES (WSCCCE)

AFSCME LOCAL 120 – GENERAL UNIT

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As a result of negotiations between Pierce County and WSCCCE, Local 120, on behalf of the General Unit (hereinafter referred to as the Parties), the following amendments have been made to the 2009-2010 labor agreement:

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ARTICLE 3 - RECOGNITION AND UNION SECURITY

3.1 The Employer recognizes the Union as the sole and exclusive bargaining agent relative to wages, hours and working conditions for all regular full-time and regular part-time employees employed in job classifications listed in Addendums for the bargaining units of the Auditor, Budget and Finance, Planning and Land Services, Fire Marshal's Office, Aging and Long Term Care, Public Works and Utilities Wastewater Treatment Plant Operations, and for wages and fringe benefits and union security only for employees under the jurisdiction of District Court but excluding all others.

ADDENDUM VIII**Bargaining Unit: WASTEWATER TREATMENT PLANT OPERATIONS****1. COVERED POSITION CLASSIFICATIONS****Classifications covered by this Addendum:**

WWTP Operator 1.....	Range (2D 16)
WWTP Operator 2.....	Range (2D 18)
WWTP Operator 3.....	Range (2D 22)
Public Works and Utilities Supervisor - WWTP.....	Range (2F 07)

(Note: Effective January 1, 2010, after application of the COLA in accordance with Article 5.1.2 of the General Unit contract, the classifications of WWTP Operator 1, 2 and 3 will be given a market adjustment of 5.0%.)

The following provisions replace and supersede or supplement like articles in the AFSCME Local 120 General Unit collective bargaining agreement between Local 120 and Pierce County:

2. ARTICLE 4 – MANAGEMENT RIGHTS**Article 4.1, Item 3 is revised as follows:**

3. To schedule and assign work. The parties agree that the County will continue to have supervisors such as the Chief Operator and/or the WWTP Superintendent, who are licensed treatment plant operators; perform bargaining unit work on an as-needed basis when necessary, which has been the customary practice.

3. ARTICLE 5 - HOURS OF WORK AND OVERTIME**The following language replaces Article 5.1 and Article 5.2 in the general contract:**

5.1 The normal workweek for full-time employees shall be either five (5) consecutive days of eight (8) hours work, exclusive of a lunch period; or a rotating twelve (12) hour shift schedule (generally four (4) consecutive days of work followed by three (3) consecutive days off); or other schedule as determined by the County.

5.1.1 While on a rotating twelve (12) hour shift schedule, employees working day shift Monday through Friday while other licensed operators are on site and available to provide relief, shall be paid for eleven and a half hours with one one-half hour unpaid meal period to be taken approximately midway through the shift; in such cases where relief for a meal period is not possible, dayshift employees must have prior approval from the WWTP Superintendent or the Chief Operator or designee to work through their meal period. Employees working nights;



WASHINGTON STATE
COUNCIL OF COUNTY AND CITY EMPLOYEES
AFSCME AFL-CIO

CHRIS DUGOVICH President/Executive Director

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Affiliated with:

American Federation of State, County & Municipal Employees
Washington State Labor Council

PUBLIC EMPLOYMENT
RELATIONS COMMISSION

Facsimile Cover Sheet

To: Brian Ziegler, Joe Cassillo, PERC - Sally Iverson

Company: _____

Date: 3/5/10 Time: _____

Fax #: _____

Number of pages to follow: _____

- ☐ Please call to discuss this matter.
- ☐ Please review and provide comments.
- ☒ For your information.
- ☒ Hard copy to follow.
- ☐ Per your request.

If you have any problems with this transmittal please give us a call at (425) 303-8818 or 1-800-775-6418.

From: Bill Keenan, Director of Organizing

Company: Washington State Council of County and City Employees, AFSCME, AFL-CIO

Fax #: (425) 303-8906

Comments: _____

